

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/000347

## A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. <sup>7</sup>: G 02 C 7/08, 9/00, 5/00, 3/02, A 61 F 9/04

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

DWPI: magnet+ and (G02C/ic or eyewear or glasses or spectacle? or eyeglass+ or goggle? or sunglasses or eyeshield?), mount+ or modular or releas+ or replac+ or remov+ or disjoin+ or engag+ or disattach+ or interlock+ or clip+ or snap+ or connect+ or fix+ or fasten+ or mating or coupli+, recess+ or slot+ or projection? or aperture? or tongue? or barb? or pin? or bore? or lock? or clip? or pawl? or latch? or protr+ or groove? or opening? or hole?, adjust+ or fit+ or regulat+ or shift+ or slid+ or reconfigur+ or accomodat+, headwear or safety or protective or protection or visor? or mask? or +shield+ or helmet, and similar keywords

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|-----------|--|-----------------------|
| X         | US 5936700 A (MASUNAGA) 10 August 1999<br>All figures                              | 1, 2, 4, 5, 24        |
| X         | US 5321442 A (ALBANESE) 14 June 1994<br>All figures                                | 1-5                   |

☒ Further documents are listed in the continuation of Box C ☒ See patent family annex

|   |  |
|---|--|
| * Special categories of cited documents:  |  |
| "A" document defining the general state of the art which is not considered to be of particular relevance  | "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  |
| "B" earlier application or patent but published on or after the international filing date   | "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone   |
| "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| "O" document referring to an oral disclosure, use, exhibition or other means  | "&" document member of the same patent family  |
| "P" document published prior to the international filing date but later than the priority date claimed  |  |

Date of the actual completion of the international search  
11 May 2004

Date of mailing of the international search report  
- 7 JUN 2004

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| C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT |   |                       |
|---|---|-----------------------|
| Category*   | Citation of document, with indication, where appropriate, of the relevant passages                                      | Relevant to claim No. |
| X   | US 5243366 A (BLEVINS) 7 September 1993<br>Figure 9   | 1-3, 5                |
| X   | US 3422449 A (RINNMAN) 14 January 1969<br>Whole document  | 1, 5                  |
| X   | EP 1248139 A2 (WONG) 9 October 2002<br>Whole document   | 1, 2, 4, 5            |
| X   | US 6139141 A (ZIDER) 31 October 2000<br>Whole document  | 1, 2, 4, 5, 24        |
| X   | Patent Abstract of Japan, Publication number 11-119166 (MURAI:KK) 30 April 1999<br>Abstract                             | 1, 2, 4, 5, 24        |
| X   | Patent Abstract of Japan, Publication number 2003-075783 (MASUNAGA OPTICAL MFG CO LTD et al.) 12 March 2003<br>Abstract | 1-3, 5                |
| X   | AU 77321/98 A (HONG CHIE ENTERPRISE CO., LTD) 28 January 1999<br>All figures  | 1, 2, 4, 5, 24        |
| X, P  | US 6611959 B1 (LANDO) 2 September 2003<br>Whole document  | 1-3, 5, 26            |
| X   | US 6174058 B1 (HSIAO) 16 January 2001<br>Abstract   | 26                    |
| X   | Derwent Abstract Accession No 2002-292507/33, Class P21, ZA 200104513 A (HSIAO) 27 February 2002<br>Abstract            | 26                    |
| X   | US 5289592 A (PAIVARINTA) 1 March 1994<br>Figure 1  | 26                    |
| X   | US 5278999 A (BROWN et al.) 18 January 1994<br>Figures 1-10   | 26                    |

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## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

The feature defined in Claim 1 (namely "*a modular eyewear system including magnetic mounting means for releasable magnetic mounting of one or more eyewear elements*") is common to all the claims, however, this feature is well known in the prior art. Consequently, the common feature is not a special technical feature within the meaning of PCT Rule 1.3.2, second sentence, since it makes no contribution over the prior art. Therefore, a posteriori, Claims 1-26 do not satisfy the requirement of unity of invention.

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-5, 24 and 26

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

| Patent Document Cited in<br>Search Report   |            | Patent Family Member |            |
|---|------------|----------------------|------------|
| US  | 5936700    | JP                   | 2000028968 |
| US  | 5321442    |                      |            |
| US  | 5243366    |                      |            |
| US  | 3422449    |                      |            |
| EP  | 1248139    |                      |            |
| US  | 6139141    |                      |            |
| JP  | 11119166   |                      |            |
| JP  | 2003075783 |                      |            |
| AU  | 7732198    | AU                   | 77321/98   |
| US  | 6611959    |                      |            |
| US  | 6174058    | CA                   | 2298406    |
|   |            | EP                   | 1124152    |
| ZA  | 200104513  |                      |            |
| US  | 5289592    | CA                   | 2082965    |
| US  | 5278999    |                      |            |
| Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001. |            |                      |            |
| END OF ANNEX  |            |                      |            |